



THE ATTORNEY GENERAL OF TEXAS

AUSTIN 11, TEXAS

PRICE DANIEL
ATTORNEY GENERAL

October 17, 1951

Hon. Stewart W. Hellman
Criminal District Attorney
Fort Worth, Texas

Opinion No. V-1320

Re: Present maximum compensation of county officials in Tarrant County

Dear Sir:

You have requested an opinion on the maximum compensation of the county judge, sheriff, criminal district attorney, district clerk, county clerk, assessor-collector of taxes, county treasurer, and judge of the county court at law of Tarrant County.

Tarrant County has a population, according to the 1950 Federal Census, of 361,253 inhabitants. Therefore, the compensation of the county judge, sheriff, criminal district attorney, district clerk, county clerk, and assessor-collector of taxes is governed by the provisions of Articles 3912e-11 and 3912g, V.C.S.

Section 2 of Article 3912e-11 provides in part:

"The County Judge, Sheriff, District Attorney, Criminal District Attorney, District Clerk, County Clerk, and the Assessor-Collector of Taxes of such counties shall each receive a salary of Seven Thousand, Seven Hundred Dollars (\$7,700) per annum."

Under the above quoted provision, the county judge, sheriff, criminal district attorney, district clerk, county clerk, and assessor-collector of taxes are entitled to a base compensation of \$7,700 per annum.

Section 1 of Article 3912g authorizes an additional increase not to exceed 25% of the sum allowed under the law for the fiscal year of 1948. Since Tarrant County had a population of 225,521 inhabitants, according to the 1940 Federal Census, the compensation of the county judge, sheriff, criminal

district attorney, district clerk, county clerk, and assessor-collector of taxes was governed by Article 3883g which provides:

"Section 2. The County Judge, Sheriff, District Attorney, or Criminal District Attorney, as the case may be, District Clerk, County Clerk, and Assessor and Collector of Taxes shall receive a salary of not less than Seven Thousand, Four Hundred Dollars (\$7,400) per annum from the Officers Salary Fund, in such counties."

Therefore, under Article 3912g, the commissioners' court was authorized to grant an increase not to exceed \$1,850 (25% of \$7,400). You are therefore advised that the maximum compensation which may be paid the county judge, sheriff, criminal district attorney, district clerk, and county clerk of Tarrant County is \$9,550 (\$7,700 plus \$1,850). The maximum compensation for the assessor-collector of taxes is \$9,550 (\$7,700 plus \$1,850) plus the compensation provided for in Section 57 of Article 1436-1, V.P.C., as amended by Senate Bill 271, Acts 52nd Leg., 1951, ch. 368, p. 620. See Att'y Gen. Op. V-1294 (1951).

Compensation of the county treasurer of Tarrant County is governed by the provisions of Section 5 of House Bill 265, Acts 52nd Leg., R.S. 1951, ch. 391, p. 675, which provides as follows:

"In each county in the State of Texas having a population of at least three hundred thousand and one (300,001) inhabitants, or more, according to the last preceding Federal Census, the Commissioners' Court shall fix the salary of the county treasurer at any reasonable sum providing such salary is not less than Forty-eight Hundred Dollars (\$4800)."

The commissioners' court of Tarrant County may therefore set the salary of the county treasurer at any reasonable sum provided such salary shall not be less than \$4,800 per annum. Att'y Gen. Op. V-1216 (1951).

Compensation of the judge of the county court at law of Tarrant County is governed by the provisions of Articles 1970-336 and 3912g, V.C.S. Under Article 1970-336, the judge of the county court at law of

Tarrant County is entitled to the base compensation of \$7,400 per annum. Section 1 of Article 3912g authorizes the additional increase not to exceed 25% of the sum allowed under the law during the fiscal year of 1948. The judge of the county court at law of Tarrant County was entitled to the maximum compensation in 1948 of \$6,000 per annum. Article 3912e-1. Under Article 3912g, the judge of the county court at law of Tarrant County is entitled to an increase not to exceed \$1,500 (25% of \$6,000). You are therefore advised that the maximum compensation of the judge of the county court at law of Tarrant County is \$8,900 (\$7,400 plus \$1,500).

SUMMARY

The maximum compensation which may be paid the county judge, sheriff, criminal district attorney, district clerk, and county clerk of Tarrant County is \$9,550. Arts. 3883g and 3912g, V.C.S. The maximum compensation which may be paid the assessor-collector of taxes is \$9,550 (\$7,700 plus \$1,850) plus the compensation provided for in Section 57 of Article 1436-1, V.P.C.

The maximum compensation which may be paid the judge of the county court at law of Tarrant County is \$8,900. Arts. 1970-336 and 3912g, V.C.S.

The commissioners' court of Tarrant County may set the salary of the county treasurer at any reasonable sum providing such salary shall not be less than \$4,800 per annum. H. B. 265, Acts 52nd Leg., R.S. 1951, ch. 391, p. 675.

APPROVED:


Yours very truly,

J. C. Davis, Jr.
County Affairs Division

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JR:mh